

Panaji, 25th June, 2009 (Ashada 4, 1931)

SERIES I No. 13

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE

There are two Extraordinary issues to the Official Gazette, Series I No. 12 dated 18-6-2009 as namely :-

- (1) Extraordinary dated 18-6-2009 from pages 313 to 316 regarding Notification from Department of Finance (Debt Management Division).
- (2) Extraordinary (No. 2) dated 24-6-2009 from pages 317 to 320 regarding Notifications from Department of Finance (Revenue and Control Division) and from Department of Law & Judiciary (Legal Affairs Division).

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GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

7/5/2009-LA

The Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Act, 2009 (Goa Act 11 of 2009), which has been passed by the Legislative Assembly of Goa on 5-2-2009 and assented to by the Governor of Goa on 4-06-2009, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 17th June, 2009.

The Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Act, 2009

(Goa Act 11 of 2009) [4-6-2009]

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further to amend the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act 2 of 1969).

Be it enacted by the Legislative Assembly of the State of Goa in the Sixtieth Year of the Republic of India, as follows:-

1. **Short title and commencement.**— (1) This Act may be called the Goa Buildings (Lease,

Rent and Eviction) Control (Amendment) Act, 2009.

(2) It shall come into force at once.

2 Amendment of section 23A.— In section 23A of the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act 2 of 1969), after sub-section (3A), the following sub-section shall be inserted, namely:—

"(3B)(a) Notwithstanding anything contained in this Act, a Non-resident Indian, on an application made in this behalf to the Controller, shall be entitled to recover possession of any premises on the grounds that the premises are bonafide required by him for occupation by himself or any member of his family:

Provided that the Non-Resident Indian had become the owner of such premises prior to the creation of the tenancy in respect of the said premises, except where the non-resident Indian had acquired ownership by inheritance.

(b) Where a Non-resident Indian recovers possession of the premises under above section, he or she shall not transfer it through sale or any other means or let it out before the expiry of a period of three years from the date of taking possession of the premises, failing which, the evicted tenant may apply to the Controller for an order that he or she be restored the possession of the said premises and the Controller shall make an order accordingly.

(c) The controller shall pass an Order for eviction of tenant on an application by a Non-resident Indian under clause (a) above supported by a certificate from the concerned District Magistrate that he is a Non-resident Indian and is now willing to reside in the State of Goa. The District Magistrate shall issue such certificate on an affidavit sworn by Non-resident Indian before the Competent Authority to the effect that he does not possess any other suitable residence in the local area where he or member of his family can reside.

(d) Every application filed before the Controller under clause (a) above shall be dealt with in accordance with the procedure specified in sub-section (3A) and the provisions thereof in so far as they are applicable, shall apply to such proceedings.

Explanation.— For the purposes of this sub-section, "Non-resident Indian" means a person residing outside India, who is either a citizen of India or is a person of Indian origin".

Secretariat,
Porvorim-Goa.
Dated: 17-06-2009.

V.P. SHETYE,
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

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Department of Power

Office of the Chief Electrical Engineer

Notification

CEE/Accts-375/1327

Sub: One Time Settlement (OTS) Scheme.

Read: Notification No. CEE/Accts-375/4488, dated 13-1-2009.

The Government of Goa is pleased to extend the validity of the "One Time Settlement (OTS) Scheme" upto 30th September, 2009, under the Electricity Department for the defaulting consumers of Electricity dues having accumulated arrears of upto Rs. 20,000/- (Rupees twenty thousand only) as on 31-3-2008, on the same terms and conditions as stipulated in the Scheme vide Notification referred above and published in the Official Gazette, Government of Goa, Series I No. 42, dated 15-1-2009 (Pausa 25, 1930).

By order and in the name of the
Governor of Goa.

Nirmal Braganza, ex officio Additional Secretary.

Panaji, 19th June, 2009.

Department of Social Welfare

Directorate of Social Welfare

Notification

13/13/2003-SWD/1740

- Read: (1) Order No. 13-3-84-LAWD/OBC dated 12-6-1987.
- (2) Addendum No. 13/1/97-SWD/(Vol.III) dated 6-12-2001.
- (3) Order No. 13-3-84-LAWD/OBC dated 9-7-1987.
- (4) Notification No. 13/1/97-SWD dated 3-3-1997.
- (5) Notification No. 13/1/97-SWD/1016 dated 30-6-2000.
- (6) Corrigendum No. 13/14/90-SWD/(Vol.III) dated 22-4-2003.
- (7) Notification No. 13/13/2003-SWD/7430 dated 29-12-2006.

The Government of Goa, after taking into account the educational and social conditions of the people belonging to various Communities in Goa and further on the recommendation of the Goa State Commission for Backward Classes, hereby notifies the following two Communities as Socially and Educationally Backward for the purpose of Article 15(4) and backward for the purpose of Article 16(4) of the Constitution and include in the State List of OBC Community:—

- (i) **Christian Renders;**
 (ii) **Komarpant.**

By order and in the name of the
 Governor of Goa.

N. B. Narvekar, ex officio Joint Secretary
 & Director of Social Welfare

Panaji, 22nd June, 2009.

Department of Urban Development

Directorate of Municipal Administration

Notification

10/255/98-DMA(1)/642

Whereas certain draft rules to further amend the Goa Municipalities (Transfer of Immovable Property) Rules, 1970, were published as required by sub-section (3) of section 306 of the Goa Municipalities Act, 1968 (Act 7 of 1969), in the Official Gazette, Series I No. 39, dated 26-12-2008 under Notification No. 10/255/98-DMA(1) 2238 dated 22-12-2008 of the Department of Urban Development (Directorate of Municipal Administration), Panaji, inviting objections and suggestions from all persons likely to be affected thereby within 15 days from the date of publication of the said Notification in the Official Gazette.

And whereas the said Gazette was made available to the public on 26th December, 2008;

And whereas no objections/suggestions have been received from the public on the said draft Rules by the Government.

Now, therefore, in exercise of the powers conferred by section 306, read with section 88 of the Goa Municipalities Act, 1968 (Act 7 of 1969) and all other powers enabling it in that behalf, the Government of Goa, hereby makes the following rules so as to further amend the Goa Municipalities (Transfer of Immovable Property) Rules, 1970, namely:—

1 **Short title and commencement.**— (1) These rules may be called the Goa Municipalities (Transfer of Immovable Property) (Amendment) Rules, 2009.

(2) They shall come into force at once.

2 **Amendment of rule 5.**— In rule 5 of the Goa Municipalities (Transfer of Immovable Property) Rules, 1970, in second proviso, for clause (iii), the following clause shall be substituted, namely:—

(iii) When the transfer of immovable property is to a member of the family of the original lessee, the transfer fees in such cases shall be fixed by the Council in pursuance of guidelines as laid down by it with the

approval of the Government which shall be based on the location and area of the property sought to be transferred.

Explanation.— For the purposes of this clause, “family of the original lessee” means and includes parents, brother, sister, spouse, child or heir of the original lessee.

By order and in the name of the
Governor of Goa.

Daulat Hawaldar, Director of Municipal
Administration/Urban Development.

Panaji, 22nd June, 2009.

Corrigendum

In the Notification No. RRs/GIRDA/2009-10 dated 4th June, 2009 from Goa Institute of Rural Development & Administration, published in Official Gazette, Series I No. 12 dated 18th June, 2009 on page 311 Sr. No. 16 in column No. 3 of the Schedule under the heading number of posts may be corrected to read as “1” instead of “3”.